

Department of Natural Resources and Conservation  
HB 2 Requested Language

Oil & Gas

The department is authorized to decrease state special revenue money in the underground injection control program and increase federal special money by a like amount when the amount of federal EPA funds available for the program becomes known. Any federal special revenue is to be spent before state special revenue.

CARDD

"The department is appropriated up to \$600,000 for the 2009 biennium from the state special revenue account established in 85-1-604, MCA, for the purchase of prior liens on property held as loan security as required by 85-1-618, MCA."

LFD Comment: This language request can be written as a one-time only, biennial, restricted appropriation.

"The department is authorized to decrease federal special revenue in the Pollution Control and/or Drinking Water Revolving Fund Loan programs and increase state special revenue by a like amount within the Special Administration Account when the amount of federal EPA CAP funds have been expended or federal funds and bond proceeds will be used for other program purposes."

"There is appropriated up to \$1,000,000 for the biennium from the Coal Bed Methane Protection Account to fund possible landowner/water right holder claims for emergency loss of water."

LFD Comment: This language request can be written as a one-time only, biennial, restricted appropriation.

Water Resources

During the 2009 biennium, up to \$1 million of funds currently in or to be deposited in the Broadwater replacement and renewal account is appropriated to the department for repairing or replacing equipment at the Broadwater hydropower facility.

LFD Comment: This language request can be written as a one-time only, biennial, restricted appropriation.

During the 2009 biennium, up to \$70,000 of interest earned on the Broadwater water users account is appropriated to the department for the purpose of repair, improvement, or rehabilitation of the Broadwater-Missouri diversion project.

LFD Comment: This language request can be written as a one-time only, biennial, restricted appropriation.

During the 2009 biennium, up to \$500,000 of funds currently in or to be deposited in the state project hydropower earnings account is appropriated for the purpose of repairing, improving, or rehabilitating department state water projects.

LFD Comment: This language request can be written as a one-time only, biennial, restricted appropriation.

#### RWCC

It is the intent of the Legislature that the Department of Natural Resources and Conservation create a new Compact Implementation Bureau under the Water Rights Division consisting of 5.00 FTE and current budget levels. The bureau would be charged with follow up work that must occur following the sunset of the Reserved Water Rights Compact Commission on July 1, 2009. Follow up work will include, but not be limited to, congressional approvals, water court approvals, technical reports, archiving documents and creating a digital library, engineering and hydrological oversight of ongoing water projects envisioned by the various compacts, joint water management with the Tribes, legal interpretation, compact administration, and dispute resolution functions.

LFD Issue: As written, this language compels an action of the next legislature, which is not appropriate. The Legislature can plan for transition during the 2009 session. The committee may request that the RWRCC prepare a transition plan to be included in the budget preparation process for the 2011 biennium.

#### Forestry

The department is authorized to decrease state special revenue in the Trust Land Administration Division and increase general fund by a like amount when the amount of the administration costs of the Montana State University-Morrill Grant becomes known.

LFD Issue: This is an appropriation of general fund. While the exchange between SSR and GF are equal, the source of the SSR is revenue from other trusts. Until such time the amount of administration costs is calculated and the funding switch can occur, diversions from other trusts will be made to support the Morrill Trust.

NP 2315 – Restoration and Enhancement FTE

The executive requests 1.00 FTE and \$75,000 in state special revenue each year of the biennium for a state restoration coordinator. The FTE will work with all natural resource agencies, MDOT, local governments, and the public to maximize the state's substantial, ongoing investment in restoration, remediation, and infrastructure projects. The coordinator will act as interagency liaison to identify areas of potential cost savings, enhanced collaboration, joint projects, and planning. The decision package includes \$100,000 per year of one-time-only state special revenue for contracted services for the initial planning and data collection/coordination efforts.

DP 3515-Replacement of Forestry Operating Base-Technical Amendment

Fire Suppression center adjustments (Reporting Level 5706-35-01-96) were incorporated into the Forestry Division base budget causing a reduction of \$218,637. The adjustment was made to balance fire suppression funding and should not have impacted Forestry's base budget. DP requests to restore the \$218,637 in operating costs funded with General Fund.